



**Senate Bill No. 267**

**Public Act No. 16-91**

**AN ACT MAKING CHANGES TO THE TEACHERS' RETIREMENT SYSTEM CONCERNING RETENTION OF THE PLAN D COPARTICIPANT OPTION AFTER DIVORCE, CREDITING INTEREST ON CERTAIN INACTIVE, NONVESTED MEMBERS, REEMPLOYMENT OF RETIRED TEACHERS AND ELIMINATING CERTAIN OBSOLETE LANGUAGE.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Subsection (d) of section 10-183j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(d) The benefits payable to such member and such coparticipant shall be computed as follows:

(1) The benefit payable to such member at retirement and to such coparticipant upon such member's death shall be the actuarial equivalent of the normal, early [,] or proratable [or disability] benefit for which such member is eligible and based upon such member's age at retirement and the age of such coparticipant on such retirement date.

(2) The benefit payable to such coparticipant of such member who dies after such option first becomes effective but before retirement shall be the actuarial equivalent of the normal, early or proratable

**Senate Bill No. 267**

benefit for which such member was eligible based on such member's age at death and the age of such coparticipant on such date of death.

(3) [The benefit payable to a member whose designated coparticipant dies or is divorced from the member after the effective date of the option but before the retirement or death of such member shall be the normal, early, proratable or disability benefit for which the member is eligible. A] (A) Except as provided in subparagraph (B) of this subdivision, a coparticipant option shall be terminated, for any member whose designated coparticipant dies or is divorced from the member after the member's retirement, on the date of such death or divorce. Such member shall thereupon be paid the normal, early [,] or proratable [or disability] retirement benefit for which the member is eligible. (B) On and after July 1, 2016, upon the divorce of a member and such member's designated coparticipant subsequent to the member's retirement, the member may retain the coparticipant designation and the coparticipant option elected at the time of retirement by filing a qualified domestic relations order with the board.

Sec. 2. Section 10-183ee of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) After at least twenty-five years have elapsed since a [member] vested member, or ten years have elapsed since a nonvested member, of the teachers' retirement system ceased to be a teacher for any cause other than death or retirement or two years have elapsed from the date any other person became entitled to a benefit pursuant to this chapter, the Teachers' Retirement Board shall send a statement to such member or such person at the last known address of the person setting forth the amount of the accumulated contributions or other benefits standing to the credit of such person. The statement shall give notice to such person that unless payment is demanded of said amount prior to a date at least ninety days from the date the notice is given, the amount

**Senate Bill No. 267**

will be deemed abandoned and [will be transferred by the retirement board to the pension reserve account within the Teachers' Retirement Fund] no further interest shall be credited to said amount.

(b) Any accumulated contributions or other benefits so deemed abandoned [and transferred to the pension reserve account] may be claimed by the person entitled to the accumulated contributions or other benefits, or in the event of his death, by his estate or by such person or persons as he shall have nominated to receive such accumulated contributions, by filing a claim with the retirement board in such form and in such manner as may be prescribed by the retirement board, seeking the return of such abandoned accumulated contributions or other benefits. [without interest.] In the event such claim is properly made the retirement board shall pay over to the person or persons or estate making such claim the amount of such accumulated contributions or other benefits. [without interest. The payment shall be made from the pension reserve account.]

Sec. 3. Section 10-183v of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2016*):

(a) (1) Except as provided in subdivisions (2) and (3) of this subsection and subsection (b) of this section, a teacher receiving retirement benefits from the system may not be employed in a teaching position receiving compensation paid out of public money appropriated for school purposes except that such teacher may be employed in such a position and receive no more than forty-five per cent of the maximum salary level for the assigned position. Any teacher who receives in excess of such amount shall reimburse the board for the amount of such excess.

(2) Commencing July 1, 2016, to June 30, 2018, inclusive, the provisions of subdivision (1) of this subsection establishing a limitation on the compensation of a reemployed teacher and requiring the

***Senate Bill No. 267***

reimbursement of any amount received in excess of that limitation shall not apply to a teacher who (A) is receiving retirement benefits from the system based on thirty-four or more years of credited service, (B) is reemployed as a teacher in a district designated as an alliance district pursuant to section 10-262u, and (C) was serving as a teacher in that district on July 1, 2015.

(3) On and after July 1, 2016, a teacher receiving retirement benefits from the system may be employed in a teaching position and receive (A) compensation paid out of public money appropriated for school purposes, (B) health insurance benefits, and (C) other employment benefits provided to active teachers employed by such school system, provided such teacher does not receive a retirement income during such employment. Payment of such teacher's retirement income shall resume on the first day of the month following the termination of such employment. The compensation and health insurance benefits under subparagraphs (A) and (B) of this subdivision shall be provided in accordance with subsection (c) of this section.

(4) Notice of [such] employment under this subsection shall be sent to the board by the employer [and by the retired teacher at the time of hire and at the end of each assignment] at the beginning and end of the school year, or assignment within the school year when reemployed for less than the full school year.

(b) A teacher receiving retirement benefits from the system may be reemployed for up to one full school year by a local board of education, the State Board of Education or by any constituent unit of the state system of higher education in a position (1) designated by the Commissioner of Education as a subject shortage area, or (2) at a school located in a school district identified as a priority school district, pursuant to section 10-266p, for the school year in which the teacher is being employed. Notice of such reemployment shall be sent to the board by the employer and by the retired teacher at the time of hire

**Senate Bill No. 267**

and at the end of the assignment. Such reemployment may be extended for an additional school year, provided the local board of education (A) submits a written request for approval to the Teachers' Retirement Board, (B) certifies that no qualified candidates are available prior to the reemployment of such teacher, and (C) indicates the type of assignment to be performed, the anticipated date of rehire and the expected duration of the assignment.

(c) The employment of a teacher under subsections (a) and (b) of this section shall not be considered as service qualifying for continuing contract status under section 10-151 and the salary of such teacher shall be fixed at an amount at least equal to that paid other teachers in the same school system with similar training and experience for the same type of service. Upon such employment under subsection (a) of this section, and upon approval by the board of such employment under subsection (b) of this section, such teacher shall be eligible for the same health insurance benefits provided to active teachers employed by such school system. No benefits shall be paid under section 10-183t, while such teacher is employed by such system.

(d) No person shall be entitled to survivor's benefits under subsection (f) of section 10-183f as a result of reemployment under this section.

(e) The same option plan of retirement benefits in effect prior to reemployment shall continue for a reemployed teacher during reemployment.

(f) The provisions of this section in effect on June 30, 2003, revision of 1958, revised to January 1, 2003, shall be applicable to any person making contributions to the Teachers' Retirement System on June 30, 2003, in accordance with said provisions.

Approved May 26, 2016